



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-2982



August 08, 2002

Anthony & Dorothy Zekos  
5 Deepwater Pt.  
Moultonborough, NH 03254

RE: Shorefront Improvements/Repairs, File #2002-01519 - Moultonborough

Dear Mr. and Mrs. Zekos:

Based upon review of the above referenced application, in accordance with RSA 482-A, the Department of Environmental Services (DES) Wetlands Bureau is hereby approving your after-the-fact request to replace an existing stone and cement stairway to the shorefront with granite slab stairs with additional riprap stabilization beside the stairs landward of the high watermark, to replace a timber retaining wall on the landward side of an existing perched beach with a stone retaining wall, and to replenish 2 cu. yds. of sand on the perched beach on 100' of frontage.

This approval is subject to the following project specific conditions:

1. All work shall be in accordance with plans by the applicant as received by the Department on July 12, 2002.
2. Repair/replacement shall maintain existing size, location and configuration.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

It is also subject to the following general conditions:

1. This after-the-fact approval does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
2. This after-the-fact approval does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required.

Please understand that conducting work in wetlands, surface waters, or the banks of such areas requires a permit prior to commencing with such work. In addition, there are prohibited activities under the Shoreland Protection Act that regulate certain modifications to your waterfront. I have enclosed copies of fact sheets regarding these activities for your information.

The Department has opted in this case not to pursue enforcement action against you or your contractor (Landscapes by Tom, LLC) for this unauthorized work. Please understand however, that both of you are being put on notice that future unauthorized work in such areas may result in the Department taking enforcement action against you.

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The department may grant reconsideration if, in its opinion, good reason is provided in the motion.

If you have any questions regarding the intent of this approval do not hesitate to contact this office.

Sincerely,

**COPY**  


Tracey Boisvert  
Wetlands Inspector  
DES Wetlands Bureau

:c: Moultonborough Conservation Commission  
Moultonborough Board of Selectmen  
✓ Mark Harbaugh, DES Enforcement Attorney  
Dave Killoy, USACOE